

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EVAN BROWN,

Plaintiff,

v.

ADRIENNE MONROY, *et al.*,

Defendants.

No. 1:22-CV-01401

(Chief Judge Brann)

**ORDER**

**JUNE 27, 2025**

Plaintiff initiated the instant action on September 8, 2022, and it was jointly assigned to the undersigned and to a magistrate judge. Upon designation, a magistrate judge may “conduct hearings, including evidentiary hearings, and . . . submit to a judge of the court proposed findings of fact and recommendations.”<sup>1</sup> Once filed, this report and recommendation is disseminated to the parties in the case who then have the opportunity to file written objections.<sup>2</sup>

On May 22, 2025, Magistrate Judge Martin C. Carlson, to whom this matter is jointly assigned, issued a thorough report and recommendation recommending that the Court grants Defendants’ Motion for Summary Judgment.<sup>3</sup> Objections to this report and recommendation were due by June 5, 2025.<sup>4</sup>

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<sup>1</sup> 28 U.S.C. 636(b)(1)(B).

<sup>2</sup> 28 U.S.C. 636(b)(1).

<sup>3</sup> May 22, 2025 Report and Recommendation, Doc. 64.

<sup>4</sup> *Id.*

No objections to the report and recommendation have been filed. In making this observation, the Court notes that the May 9, 2025 Order directing Plaintiff to respond to the pending Motion for Summary Judgment, which the Court mailed on May 12, 2025, was returned to sender as undeliverable.<sup>5</sup> On the envelope is written the following phrase: “[d]oesn’t live here.”<sup>6</sup> Local Rule 83.18 provides that unrepresented parties “shall maintain on file with the clerk a current address at which all notices and copies of pleadings, motions or papers in the action may be served upon such party. Service of any notices, copies of pleadings, motions or papers in the action at the address currently maintained on file in the clerk’s office by a party shall be deemed to be effective service upon such party.”<sup>7</sup> Accordingly, the Court concludes that, under the Local Rules, Brown was served with both the May 9, 2025 Order directing him to respond to the pending Motion for Summary Judgment and Judge Carlson’s May 22, 2025 Report and Recommendation.

As no objection has been made to the report and recommendation, this Court will review the recommendation only for clear error.<sup>8</sup> Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.<sup>9</sup>

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<sup>5</sup> May 9, 2025 Ord., Doc. 63; Mail Returned as Undeliverable, Doc. 65.

<sup>6</sup> Doc. 65.

<sup>7</sup> L.R. 83.18.

<sup>8</sup> Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

<sup>9</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.

Because the Court writes solely for the parties, it will not restate the facts, but will instead adopt the recitation of facts as set forth by the magistrate judge. The Court has conducted a de novo review here and found no error.

In accordance with the above, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Carlson's Report and Recommendation (Doc. 64) is **ADOPTED** in full;
2. Defendants Adrienne Monroy's, Michael Smith's, and Arthur Etnoyer, Jr.'s Motion for Summary Judgment (Doc. 58) is **GRANTED**;
3. The Clerk of Court is directed to enter judgment in favor of Defendants Adrienne Monroy, Michael Smith, and Arthur Etnoyer and against Plaintiff; and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
Chief United States District Judge